



05-14-04

3671
EFVIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yukio KITAHARA Examiner: Robert E. Pezzuto
Serial No.: 09/983,055 Group Art Unit: 3671
Filed: 10/23/2001 Docket: 065686-0150
Title: PRODUCT REPAIRING METHOD AND PRODUCT REPAIRING APPARATUS

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as Express Mail – EV420554883US with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313 on May 13, 2004..

By: _____

Richard S Ruggiero

Commissioner for Patents
Alexandria, VA 22313

Sir:

We are transmitting herewith the attached:

- ☒ Information Disclosure Statement (In duplicate)
- ☒ Form PTO-Form SB08
- ☒ Copies of Cited References (3)
- ☒ Return postcard

Please charge any fees associated with this transmittal to Deposit Account No: 50-0872. A duplicate of this sheet is enclosed.

Date: May 13, 2004

FOLEY & LARDNER LLP
2029 Century Park East 35th Floor
Los Angeles, CA 90067
Telephone: (310) 277-2223
Facsimile: (310) 557-8475

By: _____

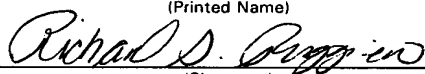
Name: David A. Blumenthal
Reg. No.: 26,257
DAB/rsr



Atty. Dkt. No. 065686-0150

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yukio KITAHARA
Title: PRODUCT REPAIRING
METHOD AND PRODUCT
REPAIRING APPARATUS
Appl. No.: 09/983,055
Filing Date: 10/23/2001
Examiner: Robert E. Pezzuto
Art Unit: 3671

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV420554883US	
(Express Mail Label Number)	(Date of Deposit)
RICHARD S. RUGGIERO	
(Printed Name)	
	
(Signature)	

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application. Included in this submission is PCT publication WO 97/31322 published August 28, 1997 which is believed to be the English equivalent of Japanese publication 2000-506290.

RELEVANCE OF EACH DOCUMENT

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609. The Japanese Office Action States:

* * * * *

Claims 1-3

References 1 and 2

Consideration

The invention of Claim 1 is essentially the same as the invention cited in Reference 1 as product repair control system, except for the fact that one has a repair part vending function portion. With regard to this difference, it is apparent that the repair parts can be sold in the invention of Reference 1. For instance, no originality is found in adding a vending function part described in Reference 2.

As for procuring from the members, as cited in Claim 2, please refer to descriptions of Reference 2.

Further, the escrow cited in Claim 3 is known in the art.

Index of cited References

1. JP 9-297793
2. JP 2000-506290

Record of Prior Art Search Results

Searched field	IPC 7 th edition	B65G	1/137, 61/00
	G06F	17/60	

This record of prior art search results does not constitute a reason for rejection.

* * * * *

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date 5-13-81

By James E. Hammett

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5407
Facsimile: (202) 672-5399

David A. Blumenthal
Attorney for Applicant
Registration No. 26,257

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: May 13, 2004 <i>(use as many sheets as necessary)</i>		Complete if Known	
		Application Number	09/983,055
		Filing Date	10/23/2001
		First Named Inventor	Yukio KITAHARA
		Group Art Unit	3671
		Examiner Name	Robert E. Pezzuto
		Attorney Docket Number	065686-0150
Sheet	1	of	1

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A1		2000-506290		Giovannoli J			Ab
	A2		09-297793		J Com KK			Ab
	A3		WO 97/31322		Giaovannoli Joseph			
				</				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner Signature	Date Considered	
--------------------	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.